REMARKS

This responds to the Office Action mailed on March 17, 2008.

Claims 21, 31, 35, and 38-40 are amended, claims 1-20 and 36-37 remain canceled, and no claims are added; as a result, claims 21-35 and 38-40 are now pending in this application.

§103 Rejection of the Claims

Claims 21-35 and 38-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Their et al. (U.S. 7,130,822; hereinafter "Their") in view of Heimermann et al. (U.S. 7,110,976; hereinafter "Heimermann"). Applicant has amended independent claims 21, 31, 35, and 38-40 to overcome these objections.

Concerning independent claims 21, 31, 35, and 38-40:

Applicant teaches, and claims in claims 21-35 and 38-40, a mechanism for dynamic planning as conditions change, for example, throughout a fiscal year. One mechanism for this dynamic planning includes the use of private and public planning areas. Applicant has amended these claims to further clarify the independent nature of the public and private areas where spending capacity data and planned expense data are respectively stored. Applicant respectfully submits that neither Their nor Heimermann disclose, teach, or suggest this separation of data storage and working areas. In particular, the Office Action relied upon Their at column 2, lines 54-66 and figure 4 to support its rejection of these claims with respect to this aspect. Office Action of March 17, 2008 at p. 3 and 5. However, upon reviewing column 2, lines 54-66 of Their, it appears that Their refers to hierarchical-based planning. Further review of other portions of Their, including the text associated with figure 4, do not describe, teach or suggest using separate areas for private and public planning. In fact, reviewing figures 6 and 12 of Their would suggest otherwise. Figure 6 is an illustration of a top-level user who is apparently able to view budget plans of children nodes that have statuses of "Not Started," and "Work in Progress." Their at FIG. 6. There is no discussion in Their that the top-level user, in this example "Guy, the CFO" is prohibited from viewing the budgetary planning of the owners of the child nodes. Therefore, the obvious capability represented in the figure is not countered. Moreover,

Heimermann fails to rectify the deficiency of Their because the cited portions of Heimermann apparently do not disclose, teach, or suggest a private and public area.

In addition, these amended claims have been revised to include receiving a new spending capacity and storing the new spending capacity in the public area, and in response, modified planned expense data is received and stored in the private area, such that the modified planned expense data replaces the previously stored planned expense data in the public area, if the modified planned expense data does not exceed the new spending capacity.

The ability to support changes in spending capacity is useful for handling changes in market or business conditions over a time period, such as a fiscal year. Note that the planned expense data in the public area is not modified by the private area expense data unless the appropriate conditions are met. This also helps in dynamic planning.

Applicant respectfully submits that because Their and/or Heimermann fail to disclose, teach, or suggest the use of both a private and public planning area, and because these references fail to disclose, teach, or suggest replacing a previously-approved plan in a public area with a newly approved plan, using data from a private planning area, that Their and/or Heimermann, alone or in combination, do not anticipate or render obvious the claimed subject matter.

Concerning remaining dependent claims:

The remaining dependent claims depend from independent claims 21, 31, and 35 either directly or indirectly, and accordingly incorporate the features of these independent claims. These dependent claims are accordingly believed to be patentable for the reasons stated herein. Thus, Applicant respectfully requests reconsideration and withdrawal of the rejection of these claims.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116 – EXPEDITED PROCEDURE
Serial Number: 09/804,851
Filing Date: March 13, 2001
Title: INTERACTIVE METHOD AND APPARATUS FOR REAL-TIME FINANCIAL PLANNING

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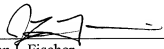Dkt: 1285.013US1

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2134 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.
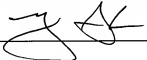
Respectfully submitted,

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Date _18 Aug 2008_   By _____
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 18th day of August, 2008.

_____Ryan Saunders_____   _____
Name   Signature